

706945PUBLISHED IN THE WICHITA EAGLE ON DECEMBER 14,
2012

ORDINANCE NO. 49-409

AN ORDINANCE PROVIDING FOR THE ACQUISITION BY EMINENT DOMAIN OF CERTAIN PRIVATE PROPERTY, EASEMENTS AND RIGHT-OF-WAY THEREIN, FOR THE PURPOSE OF ACQUIRING REAL PROPERTY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE PLANNED MERIDIAN OUTFALL PROJECT TOGETHER WITH ROADWAY IMPROVEMENTS TO MERIDIAN AND ORIENT BOULEVARDS IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS; DESIGNATING THE LANDS REQUIRED FOR SUCH PURPOSES AND DIRECTING THE CITY ATTORNEY TO FILE A PETITION IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS, FOR ACQUISITION OF THE LANDS AND EASEMENTS THEREIN TAKEN AND PROVIDING FOR PAYMENT OF THE COST THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That it be and is hereby declared to be a public necessity to acquire by eminent domain proceedings for the purpose of public right-of-way for the improvement of the Meridian Outfall project together with roadway improvements to Meridian and Orient Boulevards in the City of Wichita, Sedgwick County, Kansas, the lands and easements hereinafter described in Section 2.

SECTION 2. That the description of the lands and title therein necessary for the purpose of such action is as follows:

Clear and complete title for the uses and purposes herein set forth in and to the following-described tracts, to-wit:

The east 10.00 feet of the west 20.00 feet of Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19, Block P, South University Place Addition to Wichita, Kansas, Sedgwick County; together with a portion of Vacated Dora Avenue lying adjacent to said Block P more particularly described as commencing at the northwest corner of said Lot 1; thence east along the north line of said Lot 1, 10.00 feet to the Point of Beginning; thence continue east along the north line of said Lot 1, 10.00 feet; thence north parallel with the extended west line of said Lot 1, 36.40 feet more or less to the south line of Orient Avenue; thence southwesterly along the south line of said Orient Avenue, 11.85 feet to a point 10.00 feet normally distant east of the extended west line of said Lot 1 north; thence south parallel with the extended west line of said Lot 1, 30.04 feet more or less to the Point of Beginning; together with the east 120 feet of said Lots 9 and 11 together

with the south 10.00 feet of the east 120 feet of said Lot 7 and
Lots 21, 23 and 25, Block P, South University Place Addition to Wichita, Sedgwick
County, Kansas.

SECTION 3. That the City Attorney is hereby authorized and directed to
commence proceedings in eminent domain in the District Court of Sedgwick County,
Kansas, for the appropriation of said lands and determination of the compensation to be
awarded for the taking thereof.

SECTION 4. That the costs of said acquisition when ascertained shall be paid
from General Obligation Bonds to be issued for the costs of such improvements;
PROVIDED, however, should the City of Wichita acquire said property (and said City
hereby reserves its right to abandon the condemnation as to any of all tracts) that
General Funds are available for said purpose as provided by law.

SECTION 5. That the costs of said acquisition shall be charged to the City of
Wichita.

SECTION 6. That this Ordinance shall take effect and be in force from
and after its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas, this 11th day of, December 2012.

CITY OF WICHITA

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Gary E. Rebenstorf, Director of Law